

13774

Apostolic Life Church

13774	Date Sent	Reply	Status
Town Quest	5/6	5/21	
Muni Quest	5/6	5/9	
Prop. Lister	5/6	5/7	

Town of ONALASKA
Village of HOLMEN
05/23/2014

~~5/21/14~~ SK 5/22/14

Request for Annexation Review

Wisconsin Department of Administration

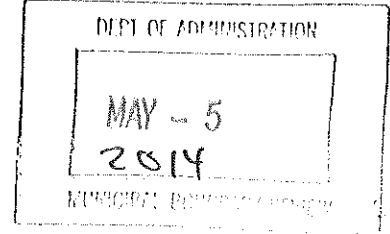
WI Dept. of Administration
Municipal Boundary Review
101 E. Wilson Street, 9th Floor
Madison WI 53703
608-264-6102 Fax: 608-264-6104
wimunicipalboundaryreview@wi.gov
http://doa.wi.gov/municipalboundaryreview/

13774

Petitioner Information

Name: Apostolic Life Church
Address: 3005 8th Rd 35
Onalaska, WI 54650
Email: _____

Office use only:



1. Town where property is located: Onalaska
2. Petitioned City or Village: Holmen
3. County where property is located: Lacrosse
4. Population of the territory to be annexed: 2
5. Area (in acres) of the territory to be annexed: 9.2ac
6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel): _____

Petitioners phone: 608-317-5059
Town clerk's phone: 608-780-5403
City/Village clerk's phone: 608-526-4836

10-445-0, 10-545-0, 10-543-0

Contact Information if different than petitioner:

Representative's Name and Address:

Mark Boyd, Pastor

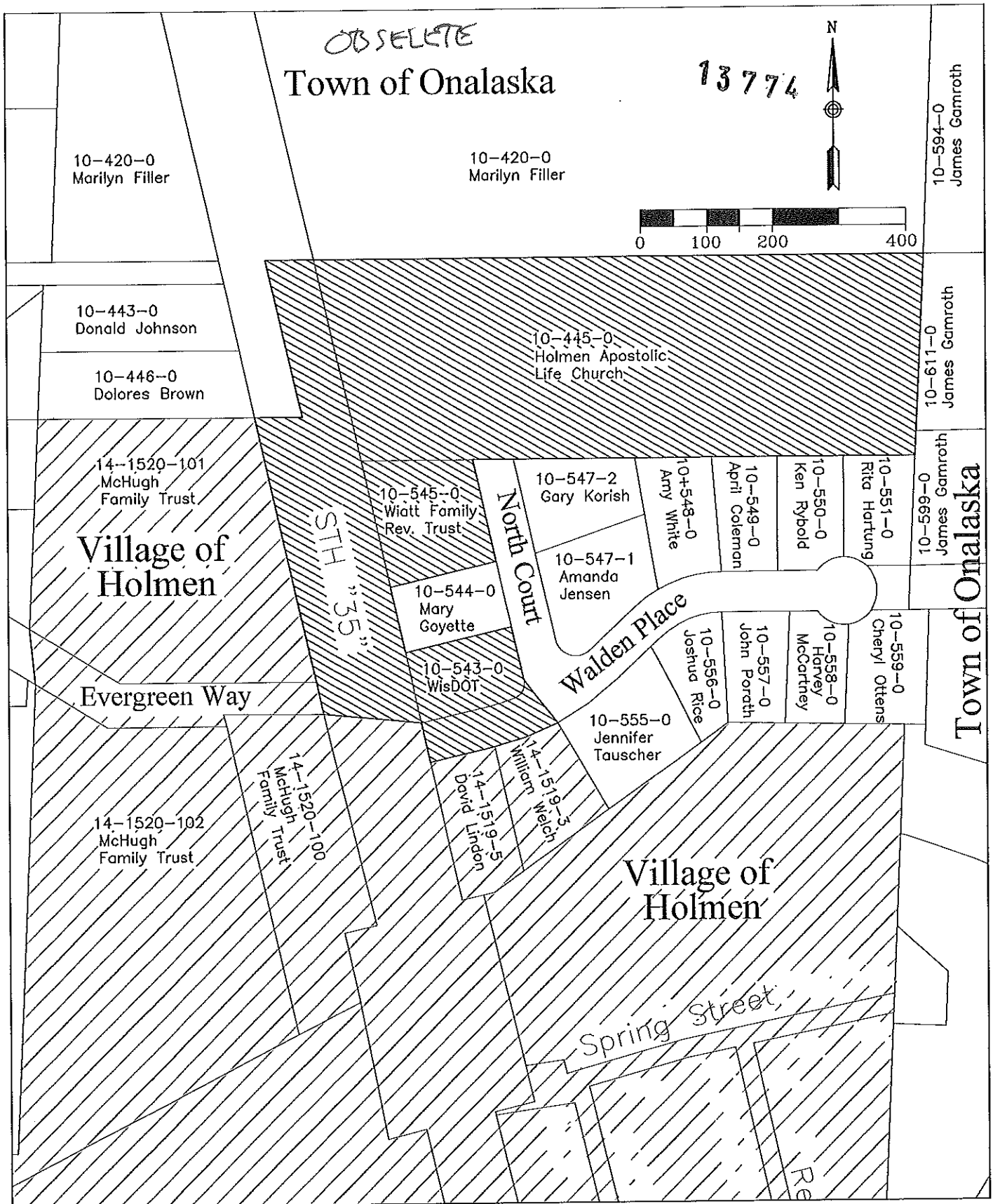
Phone: _____
E-mail: alc.pastor@centurytel.net

Surveyor or Engineering Firm's Name & Address:

Phone: _____
E-mail: _____

Required Items to be provided with submission (to be completed by petitioner):

1. Legal Description meeting the requirements of s.66.0217 (1) (c) [see attached annexation guide]
2. Map meeting the requirements of s. 66.0217 (1) (g) [see attached annexation guide]
3. Signed Petition or Notice of Intent to Circulate is included
4. Indicate Statutory annexation method used:
 - Unanimous per s. 66.0217 (2), or
 - OR
 - Direct by one-half approval per s. 66.0217 (3)
5. Check or money order covering review fee [see next page for fee calculation]



Annexation Map
 Property to be annexed
 to the Village of Holmen

5/2/2014
 1" = 500'

13774

EXHIBIT "A"

03 SELETTE

Located in the NE1/4 of the SE1/4 of Section 19, T17N, R7W, also including Lots 1, 3 and 4 of Block 1 in the Walden Acres Addition subdivision, Town of Onalaska, La Crosse County, Wisconsin.

Commencing at the East Quarter corner of said Section 19 and the point of beginning, thence S02°37'04"W 300.00 feet along the east line of the NE ¼ of the SE ¼ of said Section 19, to the northeast corner of the recorded subdivision plat of Walden Acres Addition; thence S89°55'23"W 667.72 feet along the north line of said subdivision to the northeast corner of Lot 4 of the Walden Acres Addition subdivision and a point on the westerly right of way line North Court; thence S12°57'37"E along said westerly right of way line 155.37 feet to the southeast corner of Lot 3 Block 1 of said Walden Acres Addition; thence S77°02'23"W 165.00 feet along the south line of said Lot 3 Block 1 to a point on the easterly right of way line of STH "35"; thence S12°57'37"E along said easterly right of way line 100.00 feet to the northwest corner of Lot 1 Block 1 of said Walden Acres Addition; thence N77°02'23"E 165.00 feet along the north line of said Lot 1 Block 1 to a point on the westerly right of way of North Court; thence S12°57'37"E 81.41 feet along said westerly right of way to a point; thence S38°37'54"E 81.42 feet to a point on the southerly right of way of Walden Place and the northeast corner of Lot 2 Block 3 of said Walden Acres Addition subdivision; thence southwesterly 101.45 feet along said right of way along a curve that bears to the right with a radius of 403.20 feet, having a chord that bears S69°59'23"W 101.04 feet to the northeast corner of Lot 1 Block 3 of said Walden Acres Addition subdivision; thence continuing along the south right of way of Walden Place S77°02'23"W 100.00 feet to the northwest corner of Lot 1 Block 3 of said Walden Acres Addition subdivision and the easterly right of way of STH "35"; thence N12°57'37"W 60.00 feet along said easterly right of way to the southwest corner of Lot 1 Block 1 of said Walden Acres Addition subdivision; thence S88°01'42"W 141.57 feet to the intersection of the westerly right of way of STH "35" and the southerly right of way of Evergreen Way; thence N12°57'43"W along said westerly right of way of STH "35" 473.75 feet to a point; thence N89°55'23"E 71.81 feet to a point on the centerline of STH "35"; thence N12°58'06"W along said centerline 238.58 feet to a point on the north line of the NE ¼ of the SE ¼ of Section 19, T17N, R7W; thence N89°55'23"E 990.42 feet to the point of beginning.

Said lands containing 402,796 sq. ft. (9.2 Ac.)

Sime, Don R - DOA

From: WI Municipal Boundary Review
Sent: Thursday, May 08, 2014 10:24 AM
To: Sime, Don R - DOA
Subject: FW: Apostolic Life Church annexation - Village of Holmen
Attachments: Apostolic Church update.pdf

From: Dean Olson [<mailto:dolson@holmenwi.com>]
Sent: Wednesday, May 07, 2014 9:25 AM
To: WI Municipal Boundary Review
Cc: Scott A. Heinig; Dan Leis
Subject: Apostolic Life Church annexation - Village of Holmen

Erich,
We have attached a copy of the updated information related to the Apostolic Life Church annexation to the Village of Holmen for your records. The original information submitted would have left a small trapezoidal Town island near the intersection of STH "35" and Walden Place, and this updated version eliminates that situation. Please note I have Cc'd Dan Lies at La Crosse County so he has the updated information as well. Please let me know if there is anything else you need.

Dean K. Olson
Village of Holmen
Director of Public Works

Phone: (608) 526-3513
Fax: (608) 526-4357
E-mail: dolson@holmenwi.com
Web: <http://www.holmenwi.com>

REVISED

EXHIBIT "A"

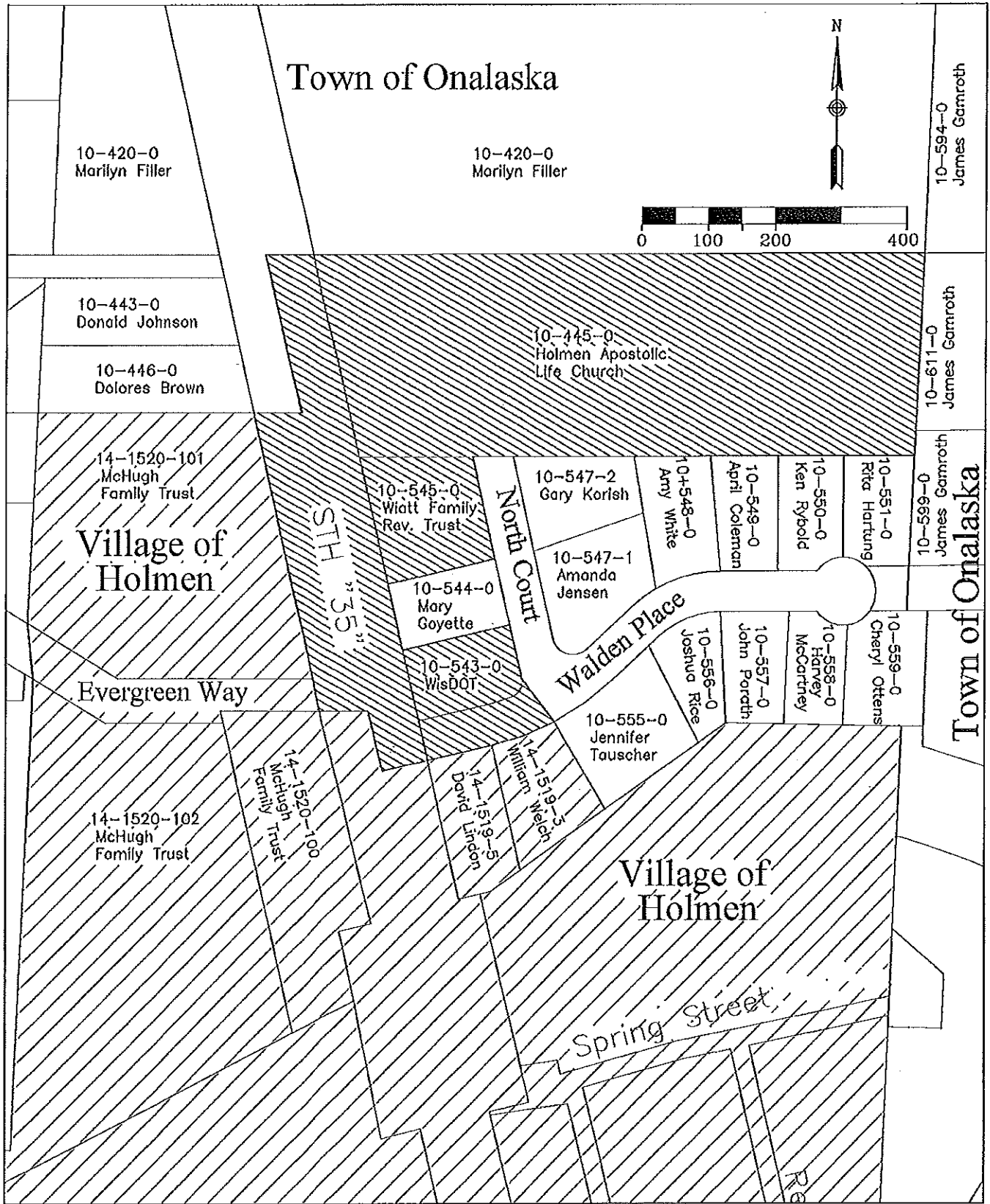
Located in the NE1/4 of the SE1/4 of Section 19, T17N, R7W, also including Lots 1, 3 and 4 of Block 1 in the Walden Acres Addition subdivision, Town of Onalaska, La Crosse County, Wisconsin.

Commencing at the East Quarter corner of said Section 19 and the point of beginning, thence S02°37'04"W 300.00 feet along the east line of the NE ¼ of the SE ¼ of said Section 19, to the northeast corner of the recorded subdivision plat of Walden Acres Addition; thence S89°55'23"W 667.72 feet along the north line of said subdivision to the northeast corner of Lot 4 of the Walden Acres Addition subdivision and a point on the westerly right of way line North Court; thence S12°57'37"E along said westerly right of way line 155.37 feet to the southeast corner of Lot 3 Block 1 of said Walden Acres Addition; thence S77°02'23"W 165.00 feet along the south line of said Lot 3 Block 1 to a point on the easterly right of way line of STH "35"; thence S12°57'37"E along said easterly right of way line 100.00 feet to the northwest corner of Lot 1 Block 1 of said Walden Acres Addition; thence N77°02'23"E 165.00 feet along the north line of said Lot 1 Block 1 to a point on the westerly right of way of North Court; thence S12°57'37"E 81.41 feet along said westerly right of way to a point; thence S38°37'54"E 81.42 feet to a point on the southerly right of way of Walden Place and the northeast corner of Lot 2 Block 3 of said Walden Acres Addition subdivision; thence southwestly 101.45 feet along said right of way along a curve that bears to the right with a radius of 403.20 feet, having a chord that bears S69°59'23"W 101.04 feet to the northeast corner of Lot 1 Block 3 of said Walden Acres Addition subdivision; thence continuing along the south right of way of Walden Place and its westerly extension thereof S77°02'23"W 170.00 feet to the centerline of STH "35"; thence N12°57'37"W 71.00 feet along said centerline to the extended southerly right of way line of Evergreen Way; thence N89°52'34"W 71.80 feet along said extended southerly right of way to the westerly right of way of STH "35"; thence N12°57'43"W along said westerly right of way 473.75 feet to a point; thence N89°55'23"E 71.81 feet to a point on the centerline of STH "35"; thence N12°58'06"W along said centerline 238.58 feet to a point on the north line of the NE ¼ of the SE ¼ of Section 19, T17N, R7W; thence N89°55'23"E 990.42 feet to the point of beginning.

OK

Said lands containing 402,796 sq. ft. (9.2 Ac.)

REVISED



Annexation Map
 Property to be annexed
 to the Village of Holmen

5/2/2014
 1" = 500'

STATE OF WISCONSIN

CIRCUIT COURT

LA CROSSE COUNTY

In Re:

The Incorporation of the Town of Onalaska
 La Crosse County, Wisconsin
 as the Village of Midway

Case No.: 13-CV-740
 Case Code: 30703

La Crosse County Wis.
 FILED

JUDGMENT AND ORDER OF DISMISSAL

MAY 1 2014

PAMELA RAUTHE
 CLERK OF COURTS

The Town of Onalaska filed its Petition to Incorporate as the Village of Midway on November 21, 2013. On December 13, 2013, the Village of Holmen filed its Motion to Intervene and Petition Challenging the Incorporation. After both parties submitted briefs, an evidentiary hearing was held on February 19, 2014. On that same date, the parties stipulated that the statutory requirements of Wis. Stat. § 66.0205 were met by the Town of Onalaska. After the hearing, two issues remained: 1) whether the use of the phrase "the Town" in the Notice on Intent to incorporate constituted an accurate description of the territory as required by Wis. Stat. § 66.0203(1); and 2) whether the description of the territory to be incorporated in the Petition to Incorporate was a contingent narrative description and therefore, in violation of *Town of Campbell v. City of La Crosse*, 2003 WI App 139, 266 Wis. 2d 107, 667 N.W.2d 356. The parties then submitted a written Stipulation and Order as well as post-hearing briefs on the two remaining issues. On April 28, 2014, this Court issued its oral ruling dismissing the Town of Onalaska's Petition for Incorporation as the Village of Midway.

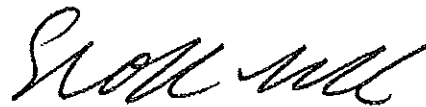
This Court finds that the phrase "the Town" in the Notice of Intent to incorporate constituted an accurate description of the territory involved pursuant to Wis. Stat. § 66.0203(1).

However, this Court also finds that, despite the intentions of the Town of Onalaska and its agents, the description of the territory to be incorporated violated the holding of the Wisconsin Court of Appeal in the *Town of Campbell v. City of La Crosse*, 2003 WI App 139, 266 Wis. 2d 107, 667 N.W.2d 356 in that the description constituted a contingent narrative description.

Accordingly, the Town of Onalaska's Petition for Incorporation as the Village of Midway is hereby dismissed, with prejudice, pursuant to Wis. Stat. § 66.0205.

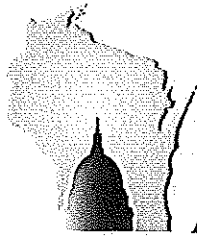
IT IS SO ORDERED.

Dated: May 1, 2014



Scott L. Horne
La Crosse County Circuit Court Judge
Branch 4

THIS ORDER/JUDGMENT IS FINAL FOR PURPOSES OF APPEAL



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

SCOTT WALKER
GOVERNOR

MIKE HUEBSCH
SECRETARY

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Voice (608) 264-6102 Fax (608) 264-6104

Email: wimunicipalboundaryreview@wi.gov

Web: <http://doa.wi.gov/municipalboundaryreview/>

May 6, 2014

PETITION FILE NO. 13774

ANGELA HORNBERG, CLERK
VILLAGE OF HOLMEN
PO BOX 158
HOLMEN, WI 54636

MELISSA ERDMAN, CLERK
TOWN OF ONALASKA
W7052 SECOND ST
ONALASKA, WI 54650

Subject: APOSTOLIC LIFE CHURCH ANNEXATION

Section 66.0217 (6), Wis. Stats., provides that the annexation of lands to cities and villages within a county having a population of 50,000 or more shall be reviewed by the Department of Administration in order to determine if the proposed annexation is in the public interest or against the public interest. The proposed annexation from the Town of ONALASKA to the Village of HOLMEN (see attached description) must be reviewed pursuant to the statute.

To assist us in making this determination, we urge that you promptly supply the data requested on the enclosed questionnaire (where possible) and return the questionnaire to the department.

The purpose of this questionnaire is to assist the department in determining "Whether the governmental services, including zoning, to be supplied to the territory could clearly be better supplied by the town...." The statute further stipulates that the department shall study the "shape of the proposed annexation and the homogeneity of the territory with the annexing municipality." In addition, we would appreciate receiving from you any comments or information bearing on governmental services or shape and homogeneity that would indicate whether the annexation is in or against the public interest.

Please return the questionnaire as soon as possible so that the information can be reviewed prior to the department's statutory deadline of May 23, 2014. Direct any questions and comments to Erich Schmidtke at (608) 264-6102. Thank you for your cooperation.

For additional information on annexation or other land use issues, visit our web site at <http://doa.wi.gov/municipalboundaryreview/>.

Sincerely,

Erich Schmidtke

Enclosures

PETITION # 13774

REAL PROPERTY LISTERS ANNEXATION REVIEW

1. Territory to be annexed: Apostolic Life Church | From Town of: Onalaska | To City/Village of: Holmen

2. Checklist: (Y) Yes; (N) No; (NA) Not applicable; (NC) Not checked

Location and Position

- Y (1) Location description by government lot, recorded private claim, ¼ - ¼ section, section, township, range and county
- Y (2) Contiguous with existing village/city boundaries
- Y (3) Creates an island area in Township (completely surrounded by city) - Small piece of STH35 Not annex.
- N (4) Creates an island area in City (completely surrounded by town)

Petition and Map Information

- Y (1) Identify owner(s) of annexed land
all but the STH35 R/W parcel
- Y (2) Identify parcel ID numbers included in annexation.
- N (3) Identify parcel ID numbers being split by annexation
STH-35 R/W is a split 10-420-1
- Y (4) North arrow
- Y (5) Graphic Scale
- Y (6) Streets and Highways shown and identified
- N (7) Legend
- Y (8) Total area/acreage of annexation

3. Other relevant information and comments:

See attached maps where it is leaving an Island in the Town in the R/W.
Village of Holmen has been contacted & is working on correcting.

Prepared by: Ram Hollnagel
Title: Real Property Rister
Phone: 608-785-5510
Date: 5/7/14

Please RETURN PROMPTLY to:
Municipal Boundary Review
101 E. Wilson Street, 9th Floor
Madison, WI 53702-0001
(608) 264-6102 (608) 267-6917 FAX
wimunicipalboundaryreview@wi.gov

Annexation Review Questionnaire

Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
101 E. Wilson Street, 9th Floor
Madison WI 53703
608-264-6102 Fax: 608-264-6104
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview/>

Petitioner:
Apostolic Life Church

Petition Number:
13774

1. Territory to be annexed: From Town of: Town of ONALASKA To City/Village of: Village of HOLMEN

2. Area (Acres): 9.2

3. Pick one: Property Tax Payments OR Boundary Agreement
a. Annual town property tax on territory to be annexed: \$313,05 a. Title of boundary agreement _____
b. Total that will be paid to Town (annual tax multiplied by 5 years): \$1,565,25 b. Year adopted _____
c. Paid by: Petitioner City Village c. Participating jurisdictions _____
 Other: d. Statutory authority (pick one) s. 66.0307 s. 66.0225 s. 66.0301

4. Resident Population: Electors: 2 Total: 2

5. Approximate present land use of territory:
Residential: 70% Recreational: _____% Commercial: _____% Industrial: _____%
Undeveloped: 30%

6. If territory is undeveloped, what is the anticipated use?
Residential: 100% Recreational: _____% Commercial: _____% Industrial: _____%
Other: The Apostolic Life Church intends to build Residential Housing

Comments:

7. Has a preliminary or final plat been submitted to the Plan Commission: Yes No
Plat Name: _____

8. What is the nature of land use adjacent to this territory in the city or village? Residential, Commercial, Industrial
In the town?: Residential and Ag.

9. What are the basic service needs that precipitated the request for annexation?
 Sanitary sewer Water supply Storm sewers
 Police/Fire protection EMS Zoning
Other: _____

10. Is the city/village or town capable of providing needed utility services?

City/Village Yes No.

Town Yes No

If yes, approximate time table for providing service:

Sanitary Sewers immediately
or, write in number of years.

City/Village

Town

Water Supply immediately
or, write in number of years.

Will provision of sanitary sewers and/or water supply to the territory proposed for annexation require capital expenditures (i.e. treatment plant expansion, new lift stations, interceptor sewers, wells, water storage facilities)?

Yes No.

Already exists at each property line, and is ready for use.

If yes, identify the nature of the anticipated improvements and their probable costs:

11. Planning:

1. Do you have a comprehensive plan for the City/Village/Town?

Yes No

Is this annexation consistent with your comprehensive plan?

Yes No

Describe: Residential Growth area and more cohesive municipal boundary.

2. Annual appropriation for planning? \$ 30,000

3. How is the annexation territory now zoned? Residential.

4. How will the land be zoned and used if annexed? Residential.

12. Other relevant information and comments bearing upon the public interest in the annexation:

owners are steadfast that their property be annexed.

Prepared by: Town City Village

Name: Scott Heinig

Email: heinig@holmenwi.com

Phone: 608-526-6305

Date: 5/8/14

Please RETURN PROMPTLY to:
wimunicipalboundaryreview@wi.gov

Municipal Boundary Review
PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

(April 2013)

Annexation Review Questionnaire

Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
101 E. Wilson Street, 9th Floor
Madison WI 53703
608-264-6102 Fax: 608-264-8104
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview/>

Petitioner:
Apostolic Life Church

Petition Number:
13774

1. Territory to be annexed: 445-D, 10-545-D, 10-543-D From Town of: Town of ONALASKA To City/Village of: Village of HOLMEN

2. Area (Acres): 7.11

3. Pick one: Property Tax Payments
a. Annual town property tax on territory to be annexed:
\$ 225.27
b. Total that will be paid to Town
(annual tax multiplied by 5 years): 1126.35
c. Paid by: Petitioner City Village
 Other:

OR Boundary Agreement
a. Title of boundary agreement _____
b. Year adopted _____
c. Participating jurisdictions _____
d. Statutory authority (pick one)
 s. 66.0307 s. 66.0226 s. 66.0301

4. Resident Population: Electors: 2 Total:

5. Approximate present land use of territory:
Residential: 15% Recreational: _____% Commercial: _____% Industrial: _____%
Undeveloped: _____% 85% Public + institutional

6. If territory is undeveloped, what is the anticipated use?

Residential: _____% Recreational: _____% Commercial: _____% Industrial: _____%
Other:

Comments:

7. Has a preliminary or final plat been submitted to the Plan Commission: Yes No
Plat Name: _____

8. What is the nature of land use adjacent to this territory in the city or village?

In the town?: Residential

9. What are the basic service needs that precipitated the request for annexation?

Sanitary sewer Water supply Storm sewers
 Police/Fire protection EMS Zoning
Other

10. Is the city/village or town capable of providing needed utility services?

City/Village Yes No.

Town Yes No

If yes, approximate time table for providing service:

Sanitary Sewers Immediately
or, write in number of years.

City/Village

Town

Water Supply Immediately,
or, write in number of years.

Will provision of sanitary sewers and/or water supply to the territory proposed for annexation require capital expenditures (i.e. treatment plant expansion, new lift stations, interceptor sewers, wells, water storage facilities)?

Yes No.

If yes, identify the nature of the anticipated improvements and their probable costs:

11. Planning:

1. Do you have a comprehensive plan for the City/Village/Town?

Yes No

Is this annexation consistent with your comprehensive plan?

Yes No

Describe: _____

2. Annual appropriation for planning? \$ _____

3. How is the annexation territory now zoned? Residential + Public/Institutional

4. How will the land be zoned and used if annexed? Residential, single fam + multi fam

12. Other relevant information and comments bearing upon the public interest in the annexation:

Prepared by: Town City Village

Name: Melissa Erdman

Email: Melissa.erdman@townofanulaska.org

Phone: (608) 783-4958

Date: 5/15/14

Please RETURN PROMPTLY to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

(April 2013)

EAST PART ONALASKA

NORTHWEST PART

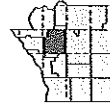
HAMILTON PART

SOUTHWEST PART

HOLLAND

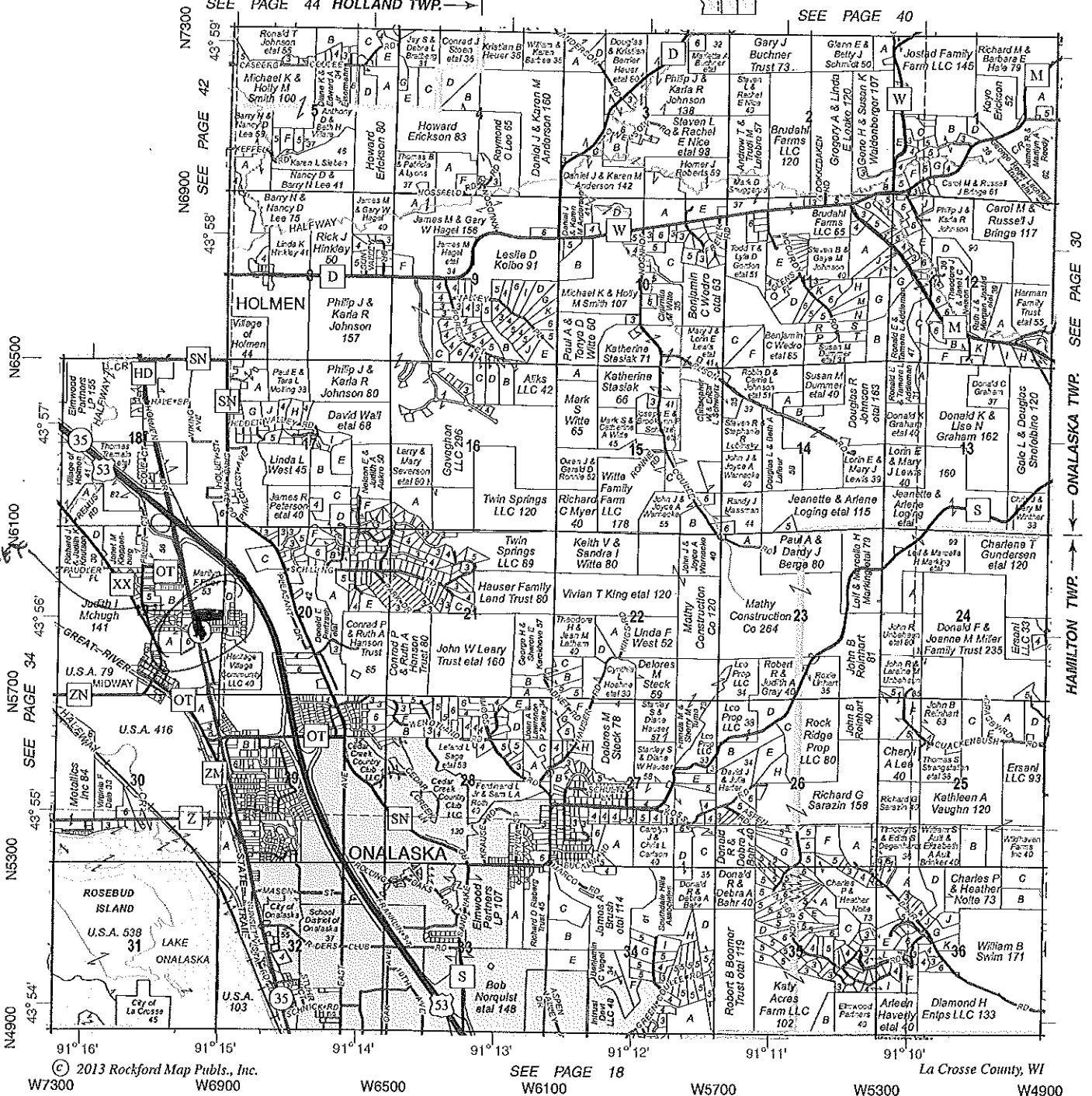
T.17N.-R.7W.

Refer to page 53 for keyed parcels



SEE PAGE 44 HOLLAND TWP. →

SEE PAGE 40



© 2013 Rockford Map Publs., Inc.

SEE PAGE 18

La Crosse County, WI



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www.uswestsalem.com

Two West Salem Locations

Downtown - 786-0600 & Hwy. 16 - 786-6200



Sue Pinski Licensed in WI/IN REALTOR®, ABR, CRS, GRI



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Office: 608-792-1111

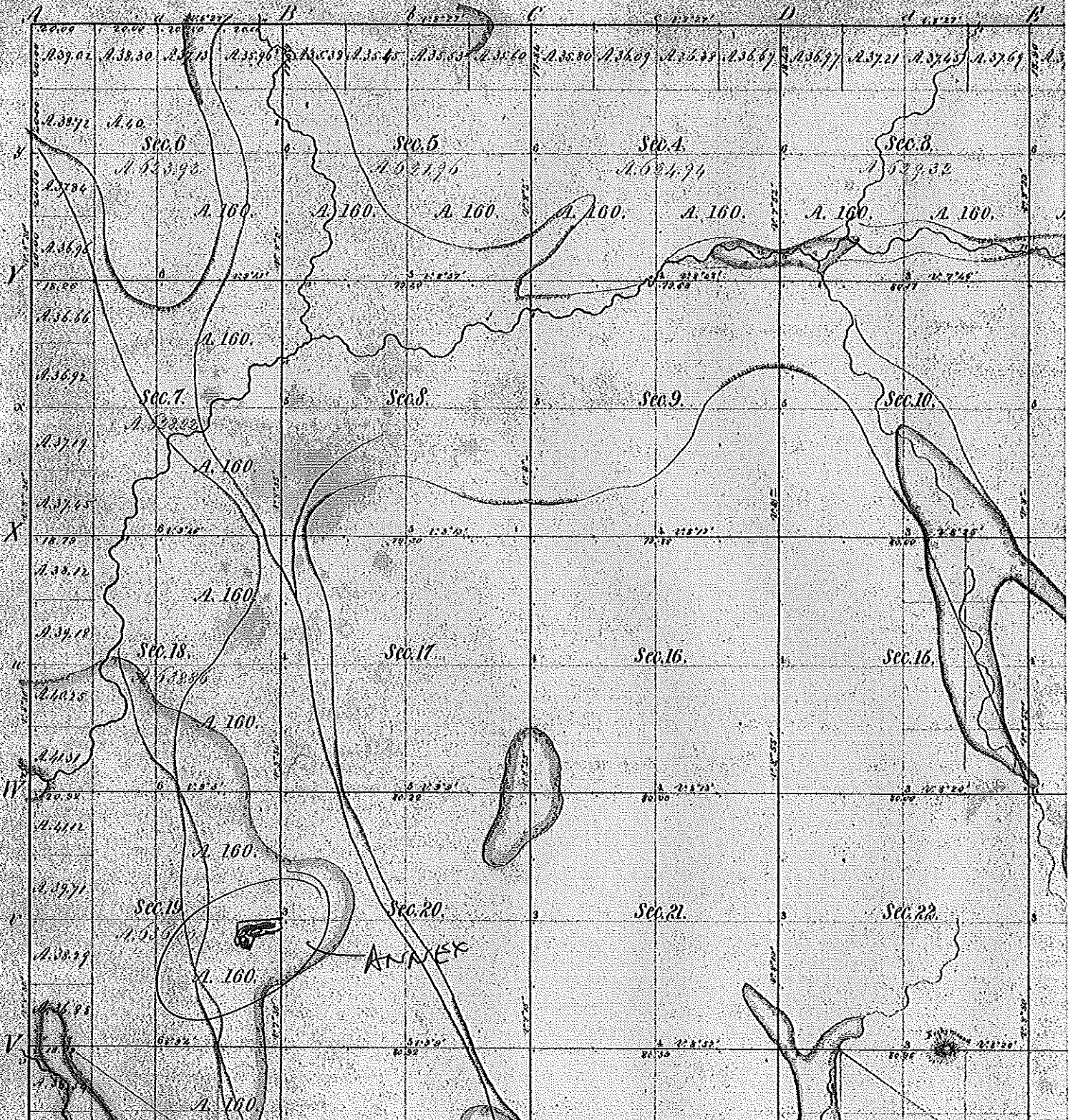
Cell: 608-792-1111 • Fax: 1-888-840-7291

Web: www.suepinski.com

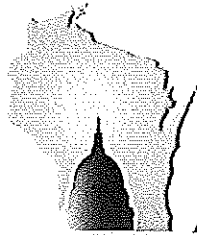
Email: suepinski@aol.com

1131 Main St. • Onalaska, WI 54650

Township N^o 17 N; Range N^o 7 West







WISCONSIN DEPARTMENT OF
ADMINISTRATION

SCOTT WALKER
GOVERNOR

MIKE HUEBSCH
SECRETARY

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Voice (608) 264-6102 Fax (608) 264-6104

Email: wimunicipalboundaryreview@wi.gov

Web: <http://doa.wi.gov/municipalboundaryreview/>

May 22, 2014

PETITION FILE NO. 13774

ANGELA HORNBERG, CLERK
VILLAGE OF HOLMEN
PO BOX 158
HOLMEN, WI 54636

MELISSA ERDMAN, CLERK
TOWN OF ONALASKA
N6957 KNUDSON ROAD
ONALASKA, WI 54650

Subject: APOSTOLIC LIFE CHURCH ANNEXATION

The proposed annexation submitted to our office on May 5, 2014, has been reviewed and found to be in the public interest. In determining whether an annexation is in the public interest, s. 66.0217 (6), Wis. Stats. requires the Department to examine "[t]he shape of the proposed annexation and the homogeneity of the territory with the annexing village or city and any other contiguous village or city..." so as unincorporated land transitions to city or village status, the resulting boundaries are rational and easy for jurisdictions and residents to follow. The subject petition is for territory that is reasonably shaped and contiguous to the **VILLAGE OF HOLMEN**.

The Department reminds clerks of annexing municipalities of the requirements of s. 66.0217 (9)(a), Wis. Stats., which states:

"The clerk of a city or village which has annexed shall file immediately with the secretary of state a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district..."

State and federal aids based on population and equalized value may be significantly affected through failure to file with the Secretary of State. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. **Please also include the MBR number with your ordinance as this assists with record keeping. Your MBR number is: 13774**

The address of the Office of the Secretary of State is:

Annexations and Railroads
Division of Government Records
Office of the Secretary of State
PO Box 7848
Madison WI 53707-7848

Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner